

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

RAY McKINNEY,)	
)	
Plaintiff,)	
)	
v.)	3:08-cv-108-RLY/WGH
)	
MICHAEL J. ASTRUE, Commissioner)	
of the Social Security Administration,)	
)	
Defendant.)	

**ENTRY ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

This matter is before the Honorable Richard L. Young, United States District Judge, on the Magistrate Judge's Report and Recommendation dated July 17, 2009, which was provided pursuant to 28 U.S.C. § 636(b)(1)(B). (Docket # 21).

Upon review of a report and recommendation, the court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge. Fed. R. Civ. P. 72(b). The court must review *de novo* those portions of the report to which objections are made. *Id.* Those portions of the report and recommendation to which no objection is registered are reviewed by the court for clear error. *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). Plaintiff, in this case, has failed to object to the Magistrate Judge's Report and Recommendation, and the court's review reveals that it is free of clear error.

The court, therefore, adopts the Report and Recommendation and concludes that Plaintiff has failed to comply with the court's orders, and has failed to file a proper brief in this Social Security Disability Benefits case. This court hereby **ORDERS** this case be **DISMISSED** without prejudice for want of prosecution.

SO ORDERED this 20th day of August 2009.

A handwritten signature in blue ink, appearing to read 'R. Young', is written over a horizontal line.

RICHARD L. YOUNG, Judge
United States District Court
Southern District of Indiana

Electronic copy to:

Thomas E. Kieper
UNITED STATES ATTORNEY'S OFFICE
tom.kieper@usdoj.gov

Copy to:

RAY McKINNEY
1603 N. 7th Avenue
Evansville, IN 47710